

² *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, GN Docket No. 18-122, *et al.*, Order and Notice of Proposed Rulemaking, FCC 18-91 (rel. July 13, 2018); 83 Fed. Reg. 44128 (Aug. 29, 2018); Order, DA 18-1190 (rel. Nov. 21, 2018).

Commission's decisions regarding these uses. CenturyLink has point-to-point microwave licenses in this band in the western United States. They are typically used as diverse routes for the transport of voice and data communications services including E911 and FAA circuitry. These links have been in service for many years. Equipment in some instances is manufacturer-discontinued (unavailable), but these critical links are reliable and vital to the integrity and robustness of the services we offer to key customers.

CenturyLink also has over seventy fixed earth stations that are licensed or registered to receive communications from satellites using spectrum in this band. CenturyLink uses these earth stations to receive and enable transport of video, internet, data, and other types of content.

II. THE COMMISSION SHOULD GRANDFATHER FIXED POINT-TO-POINT LICENSES IN THE BAND.

The Commission proposes to sunset fixed service point-to-point use in the band.³ CenturyLink recommends that all point-to-point usage in the upper 300 MHz of spectrum – or whatever portion of the spectrum that is retained for FSS use – be grandfathered and permitted to continue to operate in this spectrum indefinitely. The Commission should also consider continuing to allow new point-to-point links in the portion of the band that is retained for FSS use on a co-primary basis. Even though, as FWCC correctly stated in its comments, frequency coordination with FSS is challenging,⁴ successful coordination is feasible in some areas. Additionally, new equipment may become available that would support new point-to-point links in this band. Repacked spectrum may make fixed service frequency coordination more

³ NPRM at ¶¶ 47-48.

⁴ See Comments of the Fixed Wireless Communications Coalition (FWCC), filed herein on Oct. 29, 2018, at 3.

challenging, but that should not be a reason to prohibit any fixed service use in the band in the first instance. As such, the Commission should maintain this shared use.

Point-to-point usage in the spectrum that is intended to be cleared for flexible use, including mobile use, should be permitted to continue with full interference protection until a new licensee of the spectrum requires the spectrum and pays the incumbent provider its costs to relocate to alternate spectrum.⁵

III. THE COMMISSION SHOULD CONTINUE TO REQUIRE FULL-BAND, FULL-ARC INTERFERENCE PROTECTION FOR FIXED SATELLITE SERVICE USE IN THIS BAND.

CenturyLink agrees with the many commenters who have advocated that FSS use must be retained in this spectrum band as a primary use and with full-band, full-arc interference protection.⁶ Existing earth stations need to be able to continue to use this spectrum to receive communications from orbiting satellites. Additionally, the Commission needs to remove the freeze on permitting new earth stations in the band. Earth station owners need to be able to move or replace existing earth stations to accommodate business/customer demands.⁷ For all the reasons expressed by other commenters, limiting new earth stations in this spectrum is

⁵ See, e.g., Comments of the FWCC at 4 (“The entities that will benefit from the absence of 4 GHz FS should pay the reasonable costs of its departure.”)

⁶ See, e.g., Comments of the Content Companies, filed herein on Oct. 29, 2018, at 9-10; Comments of Cumulus Media Inc. and Westwood One, LLC, filed herein on Oct. 29, 2018, at 12-14.

⁷ See, e.g., Comments of the Local Broadcasters, filed herein on Oct. 29, 2018, at 2 (“... C-band receive only earth station owners must be permitted to relocate or replace their earth stations if they move their facilities to new studios, new towers or other new locations, or if they acquire additional programming.”); Comments of the Content Companies at 8-9.

problematic.⁸ Additionally, as others have noted, it is not necessary for the Commission to impose additional annual reporting requirements on earth station licensees.⁹

IV. THE COMMISSION SHOULD PERMIT FIXED POINT-TO-POINT AND FIXED POINT-TO-MULTIPOINT USE TO SHARE FIXED SATELLITE SERVICE SPECTRUM WHERE FEASIBLE.

The Commission should also make additional spectrum available for point-to-multipoint use and continue investigation into coexistence of FSS, point-to-point use, and point-to-multipoint use in the same spectrum bands. The Commission could allow point-to-multipoint links in the upper 300 MHz spectrum with FSS and fixed service as long as all devices, including customer devices, are fixed, use directional antennas, and are limited in elevation to avoid satellite interference. The Commission should not foreclose the opportunity for new Citizens Broadband Radio Service (CBRS) fixed equipment that could support fixed point-to-multipoint use in this spectrum. At the same time, CenturyLink views that FSS should retain primary use with full-band, full-arc protection intact for the portions of this spectrum band that are not cleared for flexible use.

The Commission should also consider other opportunities for point-to-multipoint use in mid-band spectrum. For example, the Commission should consider whether it could re-purpose 3.4 – 3.5 GHz spectrum for that use. Currently, 3.4 – 3.5 GHz spectrum is authorized for radiolocation and amateur use.

V. CONCLUSION

As advocated above, if the Commission moves forward with clearing a portion of the 3.7 – 4.2 GHz spectrum for mobile use, it should (1) grandfather fixed point-to-point licenses in the

⁸ See, e.g., Comments of the C-band Alliance, filed herein on Oct. 29, 2018, at 54-55; Comments of the Local Broadcasters at 5-8.

⁹ See, e.g., Comments of the C-band Alliance at 52-53.

band and permit their continued use with full interference protection until a new licensee of the spectrum requires the spectrum and pays the incumbent fixed service provider its relocation costs; (2) permit FSS use in the portion of the spectrum that is not cleared for mobile use and continue full-band, full-arc interference protection for FSS use; (3) lift the temporary freeze on new earth station licenses; (4) not impose additional annual reporting requirements on earth station licensees; and (5) permit fixed point-to-point and point-to-multipoint use in the repacked FSS spectrum to the extent feasible and explore repurposing other mid-band spectrum for point-to-multipoint use. Taking this approach would prioritize the spectrum for mobile and FSS use, but would reasonably phase-out incumbent fixed service use in the cleared spectrum and would permit innovative point-to-point and point-to-multipoint use in the spectrum repacked for FSS use.

Respectfully submitted,

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